

FAST FACTS

Serving Students with Disabilities, Those who are Limited English Proficient, or Migrant in Title I Programs

In a Title I targeted assistance school, a Title I teacher must select Title I students from an eligible pool of children who have the greatest need for special assistance. Quite often a school does not have sufficient funds to provide services to all eligible students and must make difficult choices about which students to serve. Title I teachers, based on a review of all the information available about the performance of eligible children, must use their best professional judgment in making these choices. It is imperative that the student selection worksheet have a ranking that shows which students are most in need and were selected to receive Title I services.

Certain target populations, such as children with disabilities, LEP children, migrant students, etc., present unique situations. All of these target populations are eligible for Title I services on the same basis as all other students. You cannot exclude any student just because they are already receiving extra services, as that would be discrimination. These students must be chosen, ranked, and served on the same basis as all students. In addition, local schools may not create a policy saying that they won't double serve students. However, IEP or LEP students are also entitled to additional services required by law because of their disability or their limited proficiency in English. School staff may decide that these additional services required by law are sufficient to enable the student meet the state's challenging standards, or that a student who is not receiving any additional service is more in need. Every situation and child is unique and should be considered for services on a case-by-case basis. Again, Title I teachers must use their best professional judgment in making decisions on which children are in greatest need to receive Title I services.

Title I services must supplement, not supplant, general classroom instruction. Title I law requires that Title I teachers work closely and communicate with classroom teachers to directly supplement classroom instruction. Title I teachers usually work with small groups of students to pre-teach, re-teach, or reinforce classroom instruction. Title I does not have individualized education programs for students. Services identified for students with disabilities in the IEP must be supervised by a special education teacher and provided in the least restrictive environment. The Title I teacher is not allowed to carry out the services described in the IEP. In all cases, the general classroom teacher is responsible for the primary instruction of the students. However, a Title I teacher can provide services above and beyond what a special education teacher is providing in any given subject area.

For any student on an IEP who has a completely revised curriculum (i.e., MR student, LEP student, etc.), the supplement-supplant regulation in the Title I law may be an issue. Title I teachers cannot be responsible for the primary instruction of students; that is the district's responsibility. Rather, Title I teachers generally work with small groups of students to directly supplement the instruction provided to students in a regular classroom setting. Therefore, it may not be beneficial or feasible for students who have a revised curriculum or need one-on-one assistance to participate in a small group setting where services are supplementing classroom instruction. However, no child may be automatically excluded from the student selection process. Participation in the Title I program for students with unique situations must be made on a case-by-case basis after considering all of the issues.

If Title I is to be mentioned in the IEP it should only say that the student, if eligible, may also be receiving Title I services. It should not specify any Title I services in the IEP.

Contact Information

If you have questions regarding this Fast Facts, please contact:

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